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imprisonment in the city jail of the city of Tulsa for not exceeding 90 days, or by both said fine and imprisonment.

SEC. 22. That sections 2, 3, 4, 19, and 20 of article 4 of ordinance No. 499, and section 1 of article 4 of ordinance No. 499, as amended by ordinance No. 1110 of the city of Tulsa, be, and the same are hereby, repealed.

Milk and Milk Products—Production, Care, and Sale—Ice Cream. (Ord. 1403, July 17, 1915.)

SECTION 1. That it be and is hereby declared to be unlawful for any person, either by himself or through his agents, servants, or employees, within the city of Tulsa, Okla., to manufacture ice cream for sale, or sell or offer for sale or have in his possession with intent to sell, within said city, any milk or milk products, except cheese, butter, condensed milk, and condensed cream, without first obtaining a license therefor from the superintendent of health, in accordance with the provisions of this ordinance: *Provided*, That no license shall be required for the sale of milk or milk products to be consumed on the premises where sold; or for the sale of milk or milk products to milk vendors or manufacturers of milk products licensed under the provisions of this ordinance; or for the sale in original packages of milk procured from a milk vendor licensed under the provisions of this ordinance; or for the sale of ice cream at retail; but nothing herein provided shall be construed as authorizing the sale or distribution of milk or milk products not produced, handled, stored, prepared, and delivered in accordance with this ordinance. Licenses shall not be transferable.

SEC. 2. Any person desiring to manufacture ice cream or to sell milk or milk products, as provided by section 1 of this ordinance, shall make an application in writing for a license therefor. Such application shall be made to the superintendent of health upon a form to be provided by said superintendent for that purpose, and shall state the name and business address and residence address of the applicant; the source or sources from which such applicant will obtain supplies of milk or milk products; the number of cows, if any, in the possession of such applicant; the average quantity of ice cream which will be manufactured, and of milk and milk products which will be disposed of by such applicant under such license, and the manner and character of such disposition.

Such application shall also state the specific brand or business name, if any, under which such milk or milk products are to be sold or distributed.

SEC. 3. Upon the filing of an application as provided by section 2 of this ordinance, the superintendent of health shall cause the sources of supply named therein to be inspected, and shall cause all other necessary inspections and investigations to be made, and if he shall be satisfied that the sources of supply and the place of business and equipment and the operation thereof are sufficient and proper to enable the applicant to comply with this and other ordinances of the city of Tulsa regulating the sale of milk and milk products, then such application shall be approved and a license therefor issued as hereinafter provided. Such license shall be in writing and signed by the superintendent of health, and shall remain in full force and effect for a period of one year unless sooner revoked, in accordance with the provisions of this ordinance or the charter of the city of Tulsa, and shall be subject to all the conditions and provisions of this and other ordinances of the city of Tulsa regulating the sale of milk and milk products, and may be suspended or revoked for any failure on the part of the licensee to comply with any provisions of such ordinances. No such license shall be issued until the applicant therefor shall have paid a fee therefor as follows, to wit:

Every milk vendor who owns or keeps less than 10 milch cows and sells or distributes only milk produced by such cows shall pay a fee of \$1 per year for each such cow, and every other milk vendor shall pay a fee of \$10 per year.

Ice cream manufacturers shall pay a fee of \$10 per year.

Said fees shall be paid annually, in advance, to the commissioner of finance and revenue, and no license shall be issued until the applicant therefor has presented a receipt for such payment.

SEC. 4. If any person to whom a license for the sale of milk and milk products or for the manufacture of ice cream has been issued under the provisions of this ordinance shall, during the life of such license, desire to obtain milk or milk products from other or additional sources than those named in his original application, he shall file with the superintendent of health, on a blank to be provided by said superintendent for that purpose, a supplemental application naming and describing therein the new source of supply, and such source of supply shall not be used by him until said application has been granted by the superintendent of health: *Provided, however*, That the provisions of this section shall not be construed to prohibit the use or sale by any ice cream manufacturer or milk vendor licensed under the provisions of this ordinance of milk or milk products obtained by him from another manufacturer of ice cream or dealer in milk or milk products who is duly licensed as such under the provisions of this ordinance.

SEC. 5. Every wagon or other vehicle from which milk is sold or distributed within the city of Tulsa, Okla., by any licensed milk vendor shall have exposed on both sides thereof the license number of the person operating the same or under whose authority the same is operated. Such numbers shall be not less than 3 inches in height in plain arabic numerals and shall be placed on such wagons or vehicles in accordance with the requirements of the superintendent of health, and in case milk is sold in cans, such cans shall have placed thereon in a conspicuous place the license number of the person selling the same in figures at least 1 inch high.

Licensed milk vendors operating milk depots, stores, and other fixed places of business where milk is sold under the provisions of this ordinance shall display their license numbers in a conspicuous place therein.

SEC. 6. It shall be and is hereby declared to be unlawful for any person by himself, his agents, servants, or employees within the city of Tulsa, Okla., to render, or manufacture, sell, offer for sale, exchange, deliver, distribute, or have in his possession with intent to sell, expose, or offer for sale, or exchange or distribute for human consumption any impure or unwholesome milk or milk products.

SEC. 7. As amended by ordinance No. 1412. *Definition of terms "impure" and "unwholesome" milk and milk products.*—That the terms "impure and "unwholesome," when applied to milk and milk products and used in this ordinance, mean:

1. Milk containing less than 12 per cent of milk solids.
2. Milk containing more than 88 per cent of water or fluids.
3. Milk containing less than $3\frac{1}{2}$ per cent of fats.
4. Milk drawn from cows within 15 days before or within 15 days after parturition.
5. Milk drawn from cows fed on unhealthy or unwholesome food.
6. Milk or milk products therefrom drawn from cows kept in an unhealthy or insanitary condition or from cows affected with any kind of disease or from cows which are supplied with water which is impure or unwholesome.
7. Milk from which any part of any constituent naturally or normally contained in whole milk has been removed, unless sold in containers labeled in accordance with section 10 of this ordinance.
8. Milk which has been diluted with water or with any other fluid or to which has been added any condensed milk or cream, or into which has been introduced any foreign substance whatever.
9. Milk or milk products therefrom drawn from cows or by milkers that are themselves in a condition of filth or uncleanness.
10. Any milk which contains any preservative or any other substance or substances of any character whatsoever not natural or normal constituent of milk.

11. Milk contained in bottles or other containers which have not been thoroughly washed and sterilized with hot water or steam before the milk is placed therein.

12. Any milk which has been allowed to become heated to a temperature greater than 60 degrees Fahrenheit during transportation to a pasteurization plant, or to a temperature greater than 50 degrees Fahrenheit during transportation to a consumer.

13. Any Bulgarian or butter milk not made from clean or wholesome milk.

14. Any milk contained in or carried in an unclean container, tray, package, or vehicle.

15. Any blended milk not conforming to the standard fixed by this section for whole milk.

16. Any cream containing less than 18 per cent fat.

17. Any milk with a specific gravity less than 1.029.

18. Any skimmed milk containing less than 9.25 per cent of milk solids.

19. Any buttermilk or process buttermilk containing less than 9.25 per cent of milk solids.

20. Any butter containing less than 82 per cent of butter fat.

21. Any ice cream containing less than 14 per cent butter fat.

22. Any milk or milk products not produced, prepared, handled, and delivered in accordance with the provisions of this and the other ordinances of the city of Tulsa.

Sec. 8. It is and shall be unlawful for any person within the city of Tulsa, Okla., to sell or otherwise furnish to any person any milk or milk products, or to have any milk or milk products in his possession for the purpose of so selling or furnishing the same, or to bring any milk or milk products within the city of Tulsa, for the purpose of so selling or furnishing the same, unless such milk or milk products have been produced, manufactured, kept, handled, prepared, and delivered without violating any of the following rules and regulations, to wit:

Rules and regulations of the Oklahoma State Board of Agriculture.—RULE 1. Public dairies must keep their cattle in apartments separate from other stock, such as horses and hogs. All stables must be sanitary and clean, well ventilated and lighted. All dairy barns must be cleaned and aired before cows are milked.

RULE 2. Milk from all diseased or suspected milch cows is absolutely prohibited from being offered for sale, and animals giving such milk must be separated from the rest of the herd. All barns and stalls where dairy cows are kept must be whitewashed every four months and sprinkled with air slacked lime at least once a week.

RULE 3. Water for dairy cows must be fresh and free from filth. The use of stagnant pond water or other stagnant water is prohibited. Milk shall not be sold from cows fed on wet distillery waste or other unhealthful feed or waste products.

RULE 4. All dairy cows furnishing milk for public dairies, when said milk is to be sold at wholesale or retail, shall be tuberculin tested, and such cows as show reaction to this test shall be rejected from the herd.

RULE 5. When suffering from any disease, no milker shall be permitted to come near the cows or dairy house where milk or other dairy products are kept. The wearing of filthy clothes by milkers, while milking, is prohibited.

RULE 6. If any milk appears to be bloody, stringy, unnatural, or abnormal during milking the whole milking must be rejected.

RULE 7. The long hair must be kept clipped from the flank and udder of the cows and the udder must be washed before each milking. The milk must be removed as soon as possible from stable to a separate room or milk house, which shall be screened, and cans must not be allowed to stand or remain in the stable while being filled.

RULE 8. All milking shall be done with a sanitary covered milking pail and the milk must be strained through a metal gauze strainer and one or two layers of clean cloth, or at least through two layers of cloth, as soon as drawn. Cool the milk as soon as possible.

RULE 9. All sweet milk and cream which is retailed by public dairies in towns and cities must be delivered in clean bottles which have been filled and capped at the dairy.

RULE 10. All milk utensils shall be made of metal and all joints must be smoothly soldered. Rusty cans and utensils must be set aside. All dairy utensils must be thoroughly washed and cleaned with hot water and cleansing powder before using. After cleaning, all utensils shall be inverted and aired in the sun if possible.

RULE 11. A cream receiving station shall be a separate room or building, and milk or cream shall not be received or stored in the same apartment at any station where chickens, fruits and vegetables, kerosene, or other supplies or general merchandise are kept from which odors may arise.

RULE 12. All vats, churns, workers, printers, separators, and other utensils must be thoroughly cleaned and scalded after using.

RULE 13. All nuisances, such as barns, pig pens, etc., which are likely to produce offensive odors, must be kept at a reasonable distance from creameries and dairies.

RULE 14. All sewage from dairies, creameries, and ice-cream factories must be disposed of by way of sewers or by other sanitary means and not allowed to collect in pools about the building.

Rules prescribed by the superintendent of health of the city of Tulsa, Okla.—RULE (a). Never allow a cow to be excited by fast driving, abuse, loud talking, or unnecessary disturbance; do not expose her to cold or storms more than necessary.

RULE (b). To clean dirty utensils use only pure water; first rinse the utensils in warm water, then wash in hot water in which a cleaning powder has been dissolved, and rinse again. Sterilize with hot boiling water or steam, then keep inverted in pure air and sun where possible until wanted for use.

RULE (c). The milker should wash his hands immediately before milking and milk with dry hands. He should wear a clean outer garment, kept in clean place when not in use. Tobacco should not be used while milking.

RULE (d). In milking, be quiet, clean, and thorough. Commence milking at the same hour and milk the cows in the same order every day.

RULE (e). All employees, clerks, or other persons who handle milk or any products thereof before beginning work or after visiting the toilet or toilets shall wash their hands and arms thoroughly with soap and water.

RULE (f). No person or persons shall live or sleep in any room or rooms where milk or its products are handled or stored, or in any room or rooms opening directly into such room or rooms.

RULE (g). All wagons or conveyances used in the delivery of milk or its products shall be kept clean and in good repair.

RULE (h). All open wagons or other vehicles used for the transportation of milk or its products shall be provided with a clean tarpaulin, and all milk transported or delivered in open wagons or other vehicles shall be properly covered with such tarpaulins.

SEC. 9. Except as hereinafter provided, all milk and cream must be delivered to the consumer in clean and sterilized bottles, properly capped, and upon the outside of the cap of each bottle shall be printed or stamped the name of the person or firm bottling the same.

One or more gallons of milk may be delivered to any one person or firm in sanitary cans, which must be thoroughly washed and sterilized with boiling water or steam before being used, and shall be capped and sealed with the name of the person or firm filling the same printed or stamped thereon.

SEC. 10. Milk which has been skimmed or separated in any manner or for any purpose shall be sold only in containers labeled "skimmed milk," "blended milk," "process milk," or otherwise, in accordance with its true kind. The lettering on

bottles or caps shall be not less than one-eighth of an inch high and on cans not less than 1 inch high.

Milk or cream shall not be mixed, prepared, or poured in a street, alley, or other public place, or in a vehicle, and the distribution of milk or cream from pouring cans into containers shall be done in a room specially prepared and exclusively used for the handling of milk and milk products.

SEC. 11. All milk depots, ice-cream factories, and other places in the city of Tulsa, Okla., where milk or ice cream is sold, exchanged, pasteurized, or otherwise handled or stored in preparation for human consumption shall be above ground and well ventilated and kept in a clean and sanitary condition. All doors and windows in all such places must be screened and the rooms must be kept free from dust, refuse, and flies, and other things liable to contaminate or render unwholesome any milk or milk products.

All milk cans, freezing cans, and other utensils used in such places must be kept in a clean, sanitary condition, free from rust, and must be cleaned and sterilized with hot water or steam after use. Screen doors opening into such places shall be kept closed, except when opened for passage, and shall never be propped open.

Ice-cream peddling or vending wagons operated within the city of Tulsa must be screened, kept clean, sanitary, and free from flies, and no person shall operate the same while his person or clothes are unclean or while he is suffering from any infectious or communicable disease.

All toilets in milk depots, ice-cream factories, and other places in the city of Tulsa where milk or ice cream is sold, exchanged, pasteurized, or otherwise prepared, stored, or handled in preparation for human consumption shall be inclosed and have outside ventilation, and the doors thereof shall be fitted with spring hinges and be kept closed except when used for passage.

SEC. 12. It shall be unlawful for anyone to deliver milk or ice cream to any house or place under quarantine, or where any contagious or communicable disease is known by such person to exist, except in the following manner, to wit:

Milk or ice cream may be delivered to the consumer if emptied by the milk vender into vessels provided by the consumer for that purpose, or may be delivered in containers as in other cases, provided such containers shall not be removed from such premises by any person until such removal is authorized by the superintendent of health.

SEC. 13. It is and shall be unlawful for any person to sell or have in his possession with the intention of selling within the city of Tulsa, Okla., any milk procured from or produced at any dairy or other place where exists any contagious or communicable disease without first reporting the same to the superintendent of health and receiving permission so to do.

SEC. 14. No consumer shall return any milk or ice-cream container to any milk or ice-cream vender or dealer operating under a license as provided by this ordinance, in the city of Tulsa, without first thoroughly washing and cleaning such container with hot water or steam, and it shall be unlawful for any person to whom a license for the sale of milk or milk products is issued under this ordinance to receive from any consumer or other person any unwashed or unclean milk or ice-cream container.

SEC. 15. That it shall be and is hereby declared to be unlawful for any person within the city of Tulsa to have or carry upon any wagon or other vehicle upon or in which any milk is being carried, or from which milk is being sold, delivered, or distributed, or offered or exposed for sale as food for human consumption, any swill, garbage, refuse, or any decaying, fermenting, putrifying, foul, unwholesome, noxious, or filthy matter.

SEC. 16. The possession within the city of Tulsa of any milk or milk products defined as being or declared to be impure or unwholesome by this or any other ordinance of the city of Tulsa, or the sale or otherwise furnishing of which is prohibited

by this or any other ordinance of the city of Tulsa, by any person engaged in the business of producing, manufacturing, selling, or otherwise furnishing milk or milk products, or supplying food or refreshments to the public, at his ordinary place of business, or in a conveyance used for the distribution of milk or milk products, shall be and is hereby declared to be prima facie evidence of an intent to sell or otherwise furnish the same within the city of Tulsa contrary to the provisions of such ordinance.

SEC. 17. Except where a contrary intention plainly appears, the word "milk" is used in this ordinance in a collective sense, and shall be construed to mean whole milk or any of the products derived therefrom, except cheese, butter, and ice cream, which shall be included only when specifically mentioned, or where the phrase "~~milk~~ products" is added; and the word "person" shall be construed to mean any person or persons, firm, or corporation.

SEC. 18. The provisions of this ordinance shall not be so construed as to prevent or prohibit the sale of what is known to the trade as "condensed milk" or "condensed cream," provided the same are in a wholesome condition; provided also that such condensed milk shall contain at least 12 per cent of the milk solids in crude milk, and that of such solids at least 26½ per cent shall be milk fat.

SEC. 19. The superintendent of health and the milk and food inspector are hereby charged with the duty of enforcing the provisions of this ordinance, and for such purposes shall have the powers of police officers of the city of Tulsa, including the power to make arrests.

SEC. 20. It shall be the duty of the superintendent of health to cause the dairies and other establishments, from which milk brought into the city of Tulsa for sale or distribution is obtained, to be inspected from time to time to satisfy himself that the provisions and requirements of this and other ordinances of the city of Tulsa, regulating the production and sale of milk and milk products, are being complied with.

SEC. 21. The superintendent of health or the milk and food inspector, or any of their authorized agents or employees, shall have the right at any time to take a sample of milk or ice cream from any person, persons, firm, or corporation having such milk, cream, or ice cream in their possession with the intention of selling or furnishing the same to any person or persons within the city of Tulsa, and not more than 1 quart of milk or 1 pint of ice cream shall be so taken from the same person in any one day. Such sample shall be taken in the presence of the person in possession thereof, in a sterilized vessel or in the original container.

SEC. 22. The superintendent of health and the milk and food inspector and their authorized deputies shall have the right to enter and have full access, egress, and ingress to all places where milk or milk products are stored or kept for sale in the city of Tulsa, and to all wagons, carriages, or other vehicles or conveyances of every kind used for the conveyance or transportation or delivery of milk or milk products for the purpose of consumption in the city of Tulsa.

Said officers and their deputies shall also have the right to inspect all dairy cattle, dairies, manufacturing establishments, and other places where milk and milk products are produced, kept, handled, or prepared for sale in the city of Tulsa, whether such cattle, dairies, and other places are within or without the city of Tulsa, and if such access and right of inspection is denied, then any milk or milk products produced from such cattle or manufactured, kept, or prepared at any such dairy or other place shall not be sold or distributed within the city of Tulsa, and if a license for the sale thereof has been issued the same shall thereby be forfeited.

SEC. 23. That whenever the superintendent of health or the milk and food inspector shall find any milk or milk products that are impure, unwholesome, or for any reason unfit for consumption by human beings, or the sale or distribution of which is prohibited by this or any other ordinances of the city of Tulsa regulating the sale or distribution of milk or milk products, he shall have the right and authority, and it shall

be his duty, to condemn the same and to order the same removed from the city, or to destroy it or by the use of chemicals to render it unsalable.

SEC. 24. That sections 6 to 18, both inclusive, of article 4 of ordinance 499 be, and the same are hereby, repealed.

SEC. 25. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine in any sum not exceeding \$100 or by imprisonment in the city jail of the city of Tulsa for not exceeding 90 days, or by both such fine and imprisonment.

Violation of any of the provisions, rules, or regulations contained in this ordinance by any person to whom a license has been issued under the provisions of the same shall, in addition to the other penalties prescribed by this ordinance, authorize the suspension or revocation of such license.

If either the superintendent of health or the milk and food inspector shall have personal knowledge of any such violation by any such licensee, he may, after notice to such licensee to correct such violation, and his failure to so do, suspend the license of such licensee, in which case he shall either file a complaint against such licensee in the municipal court or report his action to the board of commissioners, and said board, after giving said licensee notice and an opportunity to be heard, may revoke such license, which shall not be reinstated until the cause of such suspension or revocation has been removed.

Milk and Milk Products—Sale of—Tuberculin Test of Dairy Cattle—Inspection of Pasteurization Plants. (Ord. 1404, July 17, 1915.)

SECTION 1. That all cows from which milk is furnished or sold within the city of Tulsa, Okla., and all bulls allowed to run with said cows, are hereby required to be tested for tuberculosis by what is known as "intradermal tuberculin test," and shown by such test to be free from disease. Such tuberculin test shall be applied to all such animals annually, and all animals so tested which by reacting from such test are shown to be infected with tuberculosis shall be immediately excluded from the premises where milk cows and other cattle required by this ordinance to be tested for tuberculosis are kept, and such premises shall then be disinfected in such manner as shall be prescribed by the milk and food inspector of the city of Tulsa.

SEC. 2. The tuberculin test required by section 1 of this ordinance must be made by a registered graduate veterinarian, licensed to practice in the State of Oklahoma: *Provided*, That if any animal has been tested for tuberculosis in the manner required by this ordinance, under and in accordance with the regulations prescribed by authority of the United States Government, or of any State in the Union, such test shall be accepted in lieu of the test required by this section, provided the same be certified to in substantial compliance with the provisions of this ordinance.

For the purpose of identification, all animals shall be tagged, when tested, with an indestructible tag, which shall thereafter be kept on such animal and shall bear an identification number, together with the date of the test and the initials of the veterinarian making the same.

The veterinarian making such test shall certify the result of the same upon blanks provided for that purpose by the superintendent of health of the city of Tulsa, and such certificates shall be filed with said superintendent of health.

SEC. 3. It shall be the duty of any person or corporation desiring to operate a plant for the pasteurization of milk or cream intended to be sold or used within the city of Tulsa to make application in writing to the superintendent of health for the inspection of such plant; such plant and the operation thereof shall then be inspected by the milk and food inspector, and if the equipment and operation thereof is proper and sufficient for the purpose of thoroughly pasteurizing milk and cream, and if such plant, the premises where located, and the operation thereof are in compliance with